

**Article History**

Received: 25 May 2024

Reviewed: 09 Jan 2025

Accepted: 17 Jan 2025

Published: 23 Jan 2025

## Policy Transformation and Law Enforcement in Natural Resources Management: Case Study of Excavation C in Sorong City

**Hermanus Way<sup>1</sup>, Hadi Tuasikal<sup>2</sup>, Muh Akhdharisa SJ<sup>3</sup>**<sup>1,2,3</sup> Universitas Muhammadiyah Sorong, Indonesia\*correspondence email : [hermanusway2024@gmail.com](mailto:hermanusway2024@gmail.com)

**Abstract:** This study aims to analyze law enforcement against illegal C excavation mining in Sorong City and identify obstacles during the law enforcement process. The method used is an empirical juridical approach with descriptive analysis. The data sources used primary data obtained through observation, interviews, and document studies, as well as secondary data, which includes primary, secondary, and tertiary legal materials. This study was conducted in the jurisdiction of Southwest Papua, especially Sorong City, using descriptive qualitative analysis. The results show that law enforcement against illegal C excavation mining in Sorong City still faces many obstacles from the local community's regulatory and socio-economic factors. Although there are regulations governing mining, many mining activities occur without official permits, which causes environmental damage. The main barriers are the lack of community legal awareness, weak coordination between related department, and delays in issuing permits that cause illegal mining activities. In addition, this mining activity is often the primary source of income for the community, so strict law enforcement risks increasing poverty and unemployment. In short, law enforcement against illegal C-excavation mining in Sorong City is still not optimal despite regulations. This study provided a new contribution with a participatory approach between the community, government, and industry person to find a balanced solution between environmental sustainability and community economic welfare. Effective law enforcement must be accompanied by community empowerment and better coordination between relevant departments.

**Keyword:** Law Enforcement; Illegal Mining; Environmental Damage; Natural Resources Utilization

**Abstrak:** Penelitian ini bertujuan untuk menganalisis penegakan hukum terhadap penambangan galian C ilegal di Kota Sorong dan mengidentifikasi hambatan dalam proses penegakan hukum tersebut. Metode yang digunakan adalah pendekatan yuridis empiris yuridis empiris dengan analisis deskriptif. Sumber data yang digunakan adalah data primer primer yang diperoleh melalui observasi, wawancara, dan studi dokumen, serta data sekunder, yang meliputi bahan hukum primer, sekunder, dan tersier. sekunder yang meliputi bahan hukum primer, sekunder, dan tersier. Penelitian ini dilakukan di wilayah hukum Papua Barat Daya, Barat Daya, khususnya Kota Sorong, dengan menggunakan analisis deskriptif kualitatif. Hasil penelitian menunjukkan bahwa penegakan hukum terhadap pertambangan galian C ilegal di Kota Sorong masih menghadapi banyak kendala dari faktor regulasi dan sosial ekonomi masyarakat setempat. masyarakat setempat dan faktor sosial ekonomi. Meskipun sudah ada peraturan yang mengatur tentang pertambangan, namun masih banyak banyak kegiatan penambangan yang dilakukan tanpa izin resmi sehingga

menyebabkan kerusakan lingkungan. Hambatan utamanya adalah kurangnya kesadaran hukum masyarakat, lemahnya koordinasi koordinasi yang lemah antara departemen terkait, dan keterlambatan dalam mengeluarkan izin yang menyebabkan kegiatan pertambangan ilegal. Selain itu, kegiatan pertambangan ini seringkali menjadi sumber sumber pendapatan utama masyarakat, sehingga penegakan hukum yang tegas berisiko meningkatkan kemiskinan dan pengangguran. Singkatnya, penegakan hukum terhadap penambangan galian galian C ilegal di Kota Sorong masih belum optimal meskipun sudah ada peraturannya. Penelitian ini memberikan kontribusi baru dengan pendekatan partisipatif antara antara masyarakat, pemerintah, dan pelaku industri untuk mencari solusi yang seimbang antara kelestarian lingkungan dan kesejahteraan ekonomi masyarakat. Penegakan hukum yang efektif penegakan hukum yang efektif harus dibarengi dengan pemberdayaan masyarakat dan koordinasi yang lebih baik antar departemen terkait.

**Kata kunci** : Penegakan Hukum; Penambangan Ilegal; Kerusakan Lingkungan; Sumber Daya Alam Pemanfaatan

## INTRODUCTION

The State of Indonesia is a State of law, and everyone who commits a crime must be held accountable for his actions through the legal process.<sup>1</sup> It will bring civilized change and justice for all the people of Indonesia if law enforcement is in line with the spirit of certainty of justice contained in the state of law. Thus, the stigma of society that says that the law is sharp downwards and blunt upwards will slowly erode due to the attitude of professionalism. Abundant natural resources are national wealth. It includes mining excavation materials, which include minerals and coal.<sup>2</sup> The position of the state as the owner of the excavation material regulates the allocation and use of excavation material for the prosperity of the community so that the state controls the excavation and the purpose of control by the state government so that national and local wealth is utilized for the greatest prosperity of the people of Indonesia Utilization of the river as a sand mining location which is included in class C excavation material by the community as a livelihood to build the community's economy harms the watershed.

Furthermore, mining of class C materials is currently taking place in various regions in Indonesia because of the community's need for mining materials in industrial businesses and the fulfillment of basic needs in constructing various buildings, houses, buildings, and others. Mining activities of class C mining materials are called excavation C mining. The problem is the proliferation of C excavation that has a permit but does not focus to the impacts caused by the mining process, such as environmental damage and other consequences. The C

---

<sup>1</sup> Safaruddin Harefa, "Penegakan Hukum Terhadap Tindak Pidana Di Indonesia Melalui Hukum Pidana Positif Dan Hukum Pidana Islam," *University Of Bengkulu Law Journal* 4, no. 1 (2019): 35–58, <https://doi.org/10.33369/ubelaj.v4i1.7303>.

<sup>2</sup> Roni Sulistyanto Luhukay, "Independensi Kekuasaan Kehakiman Pasca Amandemen Undang-Undang Dasar Tahun 1945 Dan Relevansinya Bagi Penegakan Hukum Yang Berkeadilan Di Indonesia," *Jurisprudentie: Jurusan Ilmu Hukum Fakultas Syariah Dan Hukum* 6, no. 1 (2019): 135–54, <http://journal.uin-alauddin.ac.id/index.php/Jurisprudentie/article/view/7973>.

excavation mining activities do overlap with the license issued by the government and cause environmental damage. Based on data from residents and social media. Irresponsible individuals digging C excavation are considered to have committed violations in dredging soil in the mountains, and several miners are mining that does not follow predetermined standards.

Article 33, paragraph (3) of the Constitution of the Republic of Indonesia affirms that the earth, water, and natural resources contained therein shall be controlled by the state and utilized to the greatest extent for the prosperity of the people. This provision reflects the principle that the state has full sovereignty over natural resources, while ownership rights over these natural resources belong to the Indonesian people. In this case, the "right of control by the state" functions as a tool or instrument, while the main goal is to realize the greatest prosperity of the people.<sup>3</sup>

The message contained in this article mandates the government to manage natural resources reasonably and equitably so that all levels of society can feel the benefits. This spirit also reflects the great ideals of the welfare state concept, in which the prosperity of the people is the main goal that the state and government must realize. One of the strategic steps to achieve this goal is to ensure that natural resource management is carried out wisely, effectively, and in favor of the people's interests.

Mineral resources are among Indonesia's natural resources. If managed optimally and responsibly, these resources can significantly contribute to national economic development. Indonesia is known as a country with abundant mineral wealth, where the mineral content is ready to be exploited as required.<sup>4</sup>

As one of the non-renewable natural resources, minerals stored in the earth's bowels have a strategic and promising value, especially in supporting economic activities. Mineral resource exploitation activities not only have the potential to increase economic growth but also contribute to widespread employment and become a source of regional original income, *Pendapatan Asli Daerah* (PAD), for areas that are the location of mining activities. Therefore, the mining sector plays an important role as a form of non-renewable natural resource management, which is relied upon to support regional and national development.<sup>5</sup>

Article 1 number (1) Law Number 4 of 2009 on Mineral and Coal Mining explains that mining includes part or all stages of activities in the context of study, management, and exploitation of minerals or coal. These stages include general investigation, exploration, feasibility study, construction, mining, processing and refining, transportation and sales, and

---

<sup>3</sup> Niru Anita Sinaga, "Kode Etik Sebagai Pedoman Pelaksanaan Profesi Hukum Yang Baik," *Jurnal Ilmiah Hukum Dirgantara* 10, no. 2 (2020): 1–34, <https://doi.org/10.35968/jh.v10i2.460>.

<sup>4</sup> Nuril Firdausiah, "Penegakan Hukum Pengeboran Minyak Ilegal Pada Pertambangan Rakyat," *Constitution Journal* 1, no. 2 (2022): 107–20, <https://doi.org/10.35719/constitution.v1i2.18>.

<sup>5</sup> Jeanne Darc Noviayanti Manik, "Koordinasi Penyidik Polri Dengan Penyidik Pegawai Negeri Sipil Dalam Penyidikan Tindak Pidana Di Bidang Pengelolaan Sumber Daya Alam," *Jurnal Hukum PRIORIS* 6, no. 3 (2018): 278–303, <https://doi.org/10.25105/prio.v6i3.3181>.

post-mining activities. Based on the type of mineral, mining in Indonesia is divided into three categories. First, Class A Mining includes strategic minerals such as oil, natural gas, bitumen, asphalt, natural wax, anthracite, coal, uranium, other radioactive materials, nickel, and cobalt. Second is Mining Group B, which includes vital minerals such as gold, silver, diamonds, copper, bauxite, lead, zinc, and iron. Third, Mining Group C usually consists of minerals with a lower level of importance than the previous two groups, such as sand, stone, limestone, and similar objects.

Moreover, article 37 of Law Number 4 of 2009 on Mineral and Coal Mining regulates the granting of a Mining Permit (IUP) based on the location of the mining area.<sup>6</sup> The Regent/City grants IUP if the mining area is within one regency/city, the Governor if the mining area crosses several regencies/cities in one province, and the Minister of Energy and Mineral Resources if the mining area crosses several provinces. In addition, Article 24 paragraph (3) letter b of Government Regulation Number 77 of 2014 on the Third Amendment to Government Regulation Number 23 of 2010 on the Implementation of Mining Activities regulates permit requirements for individual sand miners. These requirements include an application letter, identity card (KTP), taxpayer identification number (NPWP), and domicile letter.<sup>7</sup>

As a state of law, Indonesia has an obligation to ensure that any law violations are dealt with fairly. Consistent and equitable law enforcement has the potential to erase the stigma that the law is only sharp downward and blunt upward. In the context of natural resource management, Article 33, paragraph (3) of the 1945 Constitution emphasizes that the state controls the earth, water, and natural resources for the prosperity of the people. However, challenges arise when management is not in line with the principles of sustainability and justice.<sup>8</sup>

One of the crucial issues in natural resource management is the mining of Class C minerals, such as sand, which is often the livelihood of the community and contributes to regional original revenue, *Pendapatan Asli Daerah* (PAD). Unfortunately, mining practices that do not meet standards or are carried out without a permit often cause severe environmental impacts. Sorong City is one of the areas with high C excavation activities but often faces overlapping regulations and weak law enforcement. This study highlights the importance of the professionalism of the legal apparatus in managing conflicts between community economic interests and environmental protection. Different from previous

---

<sup>6</sup> Derita Prapti Rahayu and Faisal Faisal, "Politik Hukum Kewenangan Perizinan Pertambangan Pasca Perubahan Undang-Undang Minerba," *Pandecta* 16, no. 1 (2021): 164–72, <http://journal.unnes.ac.id/nju/index.php/pandecta%0APolitik>.

<sup>7</sup> Benedikta Bianca Darongke, "Penegakan Hukum Terhadap Pertambangan Tanpa Izin Menurut Undang-Undang Nomor 4 Tahun 2009 Tentang Pertambangan Mineral Dan Batu Bara," *Jurnal Lex Et Societatis* 53, no. 9 (2019): 1689–99.

<sup>8</sup> Risenly Faturahman Tapada ;J. Ronald Mawuntu;Maarthen Y. Tampanguma, "Akibat Hukum Penerapan Undang-Undang Nomor 3 Tahun 2020 Tentang Perubahan Atas Undang-Undang Nomor 4 Tahun 2009 Tentang Pertambangan Mineral Dan Batubara Terhadap Peningkatan Nilai Tambah Pertambangan," *Lex Privatum* 10, no. 4 (2022): 2, <https://ejournal.unsrat.ac.id/v3/index.php/lexprivatum/article/view/42407>.

studies, this study focuses on a participatory approach between the community, government, and industry players in law enforcement efforts.<sup>9</sup>

Hence, this study will discuss two main issues. First, how is law enforcement against illegal C excavation mining in Sorong City. Second, what are the obstacles and efforts faced by law enforcement against illegal C excavation mining in Sorong City.

## **METHOD**

This study used an empirical juridical approach, which is descriptive analysis. The data sources used include primary data obtained directly from the field as well as secondary data consisting of primary legal materials, secondary legal materials, and tertiary legal materials. The study was conducted in the jurisdiction of Southwest Papua, especially Sorong City. Data collection was conducted through three main methods: observation, interview, and document study, in order to obtain direct information related to the problem under study. After the data collected, it was analyzed descriptively and qualitatively, using the steps of analyzing, classifying, and selecting field data. This data that related to secondary data or literature data to provide a more comprehensive picture of the issues discussed.

## **DISCUSSION**

### **A. Law Enforcement against C Excavation Mining in Sorong City**

Mining activities carried out without a mining business license are illegal and can be subject to sanctions for those who violate these provisions. The existence of a mining business permit benefits the community and local government because this permit not only legalizes mining activities but also increases local government revenue.<sup>10</sup> In contrast, illegal mining activities can cause various negative impacts, such as environmental damage and disruption of ecosystem balance. It often happens to productive agricultural land or plantations that become illegal mining sites.

Referring to Law Number of 2009 Article 158, which states that "Any person who conducts a mining business without an IUP, IPR, or IUPK shall be punished with a maximum imprisonment of 10 (ten) years and a maximum fine of Rp10,000,000,000.00 (ten billion rupiah)," it can be concluded that anyone who conducts sand mining activities without a permit is against the laws and regulations. Perpetrators involved in illegal sand mining can be sentenced as stipulated in the article. In addition, law enforcers who should ensure the enforcement of the rules but instead ignore these violations can also be subject to sanctions in accordance with applicable legal provisions.<sup>11</sup>

---

<sup>9</sup> Ahmad Redi, "Dilema Penegakan Hukum Penambangan Mineral Dan Batubara Tanpa Izin Pada Pertambangan Skala Kecil (Dilemma of Law Enforcement in Small Scale Illegal Mining)," *RechtsVinding* 5, no. 3 (2016): 411–12.

<sup>10</sup> Natasha Elza Jauhara and Elsi Kartika Sari, "Pertambangan Batu Kapur Oleh I Made Sukaraja Di Kabupaten Badung, Bali," *Metrik Serial Humaniora Dan Sains* 1, no. 1 (2020): 26–32, <http://publikasi.kocenin.com/index.php/huma>.

<sup>11</sup> Syarif Saddam Rivanie, "HUKUMAN PIDANA AKIBAT KERUSAKAN LINGKUNGAN YANG DILAKUKAN OLEH KORPORASI Pada INDUSTRI TAMBANG," *Jurisprudentie: Jurusan Ilmu Hukum Fakultas Syariah Dan Hukum* 6, no. 2 (2019): 1, <https://doi.org/10.24252/jurisprudentie.v6i2.9612>.

Mineral mining activities must have a mining business license, either for one type of mineral or coal. The permit can only be issued by authorized parties, such as regents, governors, or ministers. However, mining business licenses can only be issued by the Minister responsible for mineral and coal mining.<sup>12</sup>

The discussion of aspects of criminal acts involving illegal sand miners is closely related to the perpetrators' criminal responsibility. This cannot be separated from the principle of guilt, which is the basis for justifying legal action taken by the court. In the context of criminal law, the punishment imposed on illegal sand mining communities must be proportional to the level of guilt.

Further studies show that several important factors are taken into consideration in the sentencing process. First, the negative impact of illegal sand mining activities on the environment, such as ecosystem damage, erosion, or pollution. Second, whether there had previously been warnings or appeals from law enforcement officials or the government to stop the illegal activity. Third, the socio-economic reasons behind the community's actions, especially if the activity is the only source of livelihood. In this case, a restorative justice approach could be a relevant option to consider a more balanced solution by continuing to enforce the law but also providing alternatives to encourage people to switch to legal and sustainable activities. In addition, fair law enforcement must be accompanied by community empowerment efforts and adequate supervision from the government to prevent similar violations in the future.

In law enforcement against illegal sand mining activities, the police, especially in the Sorong City area, act based on community reports or direct findings in the field. They handle such cases by referring to the applicable legal procedures and provisions, including investigation and enforcement of criminal sanctions against perpetrators who are proven to have committed violations.

Furthermore, more in-depth study shows that the role of the police is not only limited to law enforcement but also includes aspects of prevention. It can be realized through cooperation with the community and local government to provide education about the negative impacts of illegal mining, as well as encouraging mining business actors to comply with regulations by applying for official permits. In addition, transparency and accountability in every stage of the legal process are key to ensuring that law enforcement is fair and effective and can provide a deterrent effect on violators. Increased supervision by authorities and the provision of more accessible legal channels are also important factors in minimizing illegal mining activities in the future.<sup>13</sup>

---

<sup>12</sup> Mina Moghtaderi et al., "هنیت رپیکرد بز هبئی اهیذرهئی بست ائزبخشی بز ۆگز ۆدکیراهندی احسبس ۆپرکۆس بوبورای ئۆبی ی هقتذری هۆب 1" *Quarterly Journal of Health Psychology* 8, no. 32 (2020): 73–92, " 4, " 3 علی احوذ ، 2 سارح حسبی ، 3 صفری هچیز ۆب 2 سارح حسبی ، 3 علی احوذ ، 4, " [http://hpjournals.pnu.ac.ir/article\\_6498.html](http://hpjournals.pnu.ac.ir/article_6498.html).

<sup>13</sup> Roni Sulistyanto Luhukay and Rachmasari Kusuma Dewi, "Sentralisasi Kewenangan Perizinan Usaha Oleh Pemerintah Pusat Dalam Rancangan Undang – Undang Mineral Dan Batubara," *Al-Adl* 13, no. 2 (2020): 265, <https://doi.org/10.31332/aladl.v13i2.1861>.

Law enforcement against illegal sand mining activities in Sorong City is an important responsibility for related departments, especially the Mining department. However, its implementation still has obstacles, especially regarding the contribution of the Environmental Department, which is considered non-optimal. One of the factors affecting this weak law enforcement is that sand mining has become the local community's primary livelihood source. This activity has been carried out for generations to fulfil their daily needs, even though regulations to prevent illegal sand mining have been enacted.<sup>14</sup>

Further study shows that there is a dilemma between law enforcement and the socio-economic needs of the community. Enforcing the law against illegal sand mining activities could lead to increased unemployment and poverty, given the limited alternative livelihoods in the area. Therefore, a more comprehensive approach is needed to address this issue, such as the following:<sup>15</sup>

1. The provision of alternative livelihood solutions: Local governments can develop community empowerment programs to create new employment opportunities in other sectors, such as agriculture, fisheries, or small and medium enterprises (SMEs).
2. The Legality and Regulation of Community Mining: Provide opportunities for communities to obtain community mining licenses, *Izin Pertambangan Rakyat* (IPR) more easily and affordably so that mining activities can be carried out legally and eco-friendly.
3. More Monitoring and Education: Law enforcement requires socialization with the community regarding the environmental impacts of illegal mining, and the importance of regulatory compliance.
4. Inter-Department Cooperation: Collaboration between the Mining Department, Environmental Department, and security forces is key to creating a balanced solution between environmental conservation and community welfare.

The lack of optimal law enforcement against illegal sand mining activities in Sorong City reflects that the community's legal system has not been running effectively. It shows the weaknesses in supervision by law enforcement officials and their inability to impose strict sanctions on violations. This situation reflects the lack of commitment and courage of the authorities in taking significant legal steps so that criminal law enforcement in the mining sector has not achieved the expected goals.<sup>16</sup>

---

<sup>14</sup> Bertha Maulidina, Silvia Ratna Anzani, and Vianna Novita Kristya, "Peran Peradilan Tata Usaha Negara Dalam Penegakan Hukum Administrasi Negara Berbasis Prinsip Good Governance," *Yustisi: Jurnal Hukum & Hukum Islam* 10, no. 1 (2023): 196–209.

<sup>15</sup> M Agistia, A H Romadhon, and ..., "Penegakan Hukum Terhadap Pungutan Liar Yang Dilakukan Oleh Oknum Administrasi Pemerintahan," *Journal of ...*, 2024, <https://journal.banjaresepacific.com/index.php/jimr/article/view/323%0Ahttps://journal.banjaresepacific.com/index.php/jimr/article/download/323/294>.

<sup>16</sup> Claritha Delia et al., "Hukum Acara Pidana Dalam Kasus Korupsi Di Kementerian Pertanian Dengan Tersangka Syahrul Yasin Limpo" 8, no. 2 (2024): 1487–93.

The police, as investigators in mining cases, often do not include allegations and charges related to environmental crimes when handling mining cases. It shows that although the law is present in the community, its enforcement is still not optimal. One of the causes is the tolerance given by the government and the police to the community of illegal sand mining actors. This kind of tolerance damages the authority of the law reduces public trust and worsens the social and environmental impacts of these activities.<sup>17</sup>

Illegal sand mining activities, despite being a promising source of livelihood for local communities, have caused significant environmental damage and considerable losses to local revenues. Therefore, a firm and consistent legal presence is needed to reorganize this condition.

## **B. The Factors that Become Obstacles in Law Enforcement Against Illegal Mining of Excavation C in Sorong City**

The problems law enforcement faces against illegal sand mining activities in Sorong City are closely related to various elements that influence each other. These influences are often inseparable and even become obstacles in practical law enforcement efforts. The following are the main obstacles faced:<sup>18</sup>

### 1. Lack of Public Legal Awareness

Low legal awareness among the community is one of the main factors hindering compliance with applicable regulations. Many people make sand mining their main occupation because it can provide a decent income to fulfil their daily needs. Unfortunately, they do not realise the negative impacts on the environment and the community's social life around the mine site.

According to Jamaludin, the criminal act of illegal sand mining in the Sorong city area has developed into a habit or culture that is difficult to change and is no longer just an alternative job. This condition exacerbates law violations because people tend to ignore the rules that must be obeyed to maintain their income source.

### 2. Lack of Coordination between police and Related Department

Weak coordination between the Police and the Sorong City Environment Agency is also a serious obstacle in law enforcement. In investigating the crime of sand mining without a license, the existence or absence of a valid mining business license document from the relevant agency becomes important. Without good

---

<sup>17</sup> Hasriyanti. Wahab Aznul Hidayat, "Forensic Accounting Strategies in Detecting and Investigating Corruption Crime," *JUSTISI* 7, no. 1 (2019): 1–7, <https://doi.org/https://doi.org/10.33506/js.v5i1.537>.

<sup>18</sup> Muharuddin Muharuddin, Wahab Aznul Hidayat, and Jamaluddin Rumatiga, "Tanggungjawab Pemerintah Daerah Terhadap Kerusakan Terumbu Karang Di Kabupaten Raja Ampat," *JUSTISI* 6, no. 2 (2020): 64–76, <https://doi.org/https://doi.org/10.33506/js.v6i2.949>.



cooperation between the two parties, the investigation process is often disrupted and causes obstacles in law enforcement.

Effective coordination is necessary to ensure the smooth implementation of law enforcement, especially in identifying violations, collecting evidence, and sanctioning perpetrators. Without good synergy, this process will be hampered, giving the impression of a weak commitment to law enforcement in this area.

In operations or raids conducted by the Sorong City Police at sand mining sites, many miners were found to be on the move. However, they could not show a valid mining business license from the Sorong City Environment Agency. The miners gave the excuse that they had applied for a license from the relevant agency, but until then, an official mining business license had not been issued.<sup>19</sup>

It suggests a gap in the mining license administration and supervision system, which in turn affects the effectiveness of law enforcement. Although miners try to comply with procedures by applying for a permit, delays or inaccuracies in permit issuance can create space for illegal mining activities that harm the environment and communities.

Based on the explanation above, law enforcement against illegal sand mining in Sorong City requires cooperation and coordination between law enforcement officials, related departments, and other security forces. These efforts must still refer to the applicable statutory provisions, especially mining crimes.

#### Efforts to Mitigate Illegal Sand Mining Practices:<sup>20</sup>

1. Preventive efforts focus on prevention or control before illegal sand mining crimes occur. Some preventive measures are as follows.
  - a. Socialization and Education: Disseminate information to the public on the adverse environmental and health impacts of illegal mining.
  - b. Legal Awareness Raising: Educate the community on the regulations governing mining and the importance of licensing.
  - c. Development of Economic Alternatives: Provide legal and sustainable employment alternatives for the community so that it is not dependent on illegal sand mining.
  - d. Strict Supervision from Related Institutions: The government and law enforcement officials must increase supervision of locations prone to illegal mining.
2. Repressive efforts focus on actions after illegal sand mining.<sup>21</sup> The police and other

---

<sup>19</sup> Murty Theta and Henny Yuningsih, "Upaya Penegakan Hukum Pidana Terhadap Tindak Pidana Penambangan Timah Ilegal Di Provinsi Bangka Belitung," *Simbur Cahaya* 24, no. 1 (2017): 4363, <https://doi.org/http://dx.doi.org/10.28946/sc.v24i1%20Jan%202017.48>.

<sup>20</sup> Redi, "Dilema Penegakan Hukum Penambangan Mineral Dan Batubara Tanpa Izin Pada Pertambangan Skala Kecil (Dilemma of Law Enforcement in Small Scale Illegal Mining)."

law enforcement officials more dominantly carry out this approach. Some repressive steps are as follows;<sup>22</sup>

- a. Law Enforcement: Take firm action against illegal mining perpetrators by applying appropriate legal sanctions, such as imprisonment or fines, following applicable regulations.
- b. Operations and Raids: Conduct routine operations and raids in mining areas to detect and stop illegal activities immediately.
- c. Effective Legal Processing: Ensure that every illegal mining case is processed following applicable legal procedures, including good coordination between the police, relevant departments, and other legal institutions.

Cooperation between law enforcement officials, local governments and communities is required to succeed in law enforcement. Coordination between these parties will speed up the decision-making process, facilitate the distribution of information, and create more efficient policies in addressing the illegal mining problem. With a balanced preventive and repressive approach and solid cooperation between various parties, it is hoped that illegal sand mining can be minimized to protect the environment and provide better benefits for the community and the local area.<sup>23</sup>

Law enforcement officials are increasing patrols in mining areas to reduce the practice of illegal sand mining.<sup>24</sup> These patrols check the completeness of documents or letters related to sand transportation and mining. To strengthen supervision, an Integrated Team will be formed consisting of the Police, Local Government through the Mining Office, and the Attorney General's Office, which will carry out special operations to tackle and curb illegal mining crimes in Sorong City.

Routine patrols are a preventive measure against illegal mining. Through this patrol, it is expected that law enforcement officials, especially the police, can directly monitor and check the completeness of permit documents from mining actors. This effort is expected to reduce the practice of illegal mining that still occurs in Sorong City.

Steps taken by the law enforcement officials and related departments regarding illegal mining in Sorong City are as follows;<sup>25</sup>

---

<sup>21</sup> Theta and Yuningsih, "Upaya Penegakan Hukum Pidana Terhadap Tindak Pidana Penambangan Timah Ilegal Di Provinsi Bangka Belitung."

<sup>22</sup> Ekadia Tongkotow, Agustinus B Pati, and Daisy Posumah, "Konflik Pada Pertambangan Emas Tanpa Izin Di Kecamatan Ratatotok Kabupaten Minahasa Tenggara," *Jurnal Sam Ratulangi Politics Review (SRPolRev)* 1, no. 1 (2023): 1–14.

<sup>23</sup> Dwi Oktafia Ariyanti, Muhammad Ramadhan, and J. S. Murdomo, "The Criminal Law Enforcement Against Illegal Sand Mining Actors," *Jambura Law Review* 2, no. 1 (2020): 30–47, <https://doi.org/10.33756/jalrev.v2i1.4376>.

<sup>24</sup> Widiastuti .M.M.D et al, "STRATEGI KEBIJAKAN PENANGGULANGAN PENGGALIAN PASIR PANTAI DI PANTAI NASAI-KABUPATEN MERAUKE Policy Strategy to Overcome Beach Sand Mining in The Nasai Beach-Merauke Regency," 2018, 13–26.

<sup>25</sup> Analisa Peran Pemerintah Daerah Kabupaten Sampang dalam Menertibkan Kegiatan Pertambangan Pasir Batu Studi di Desa Gunung Rancak et al., "Analisa Peran Pemerintah Daerah Kabupaten Sampang Dalam Menertibkan

- a. Conducting socialization or legal counselling on criminal provisions related to illegal mining, carrying out routine operations at mining locations
- b. Increasing investigators' knowledge of environmental crimes, improving unit performance, and strengthening coordination with all parties involved.

## CONCLUSION

To sum up, the law enforcement against illegal C-excavation mining in Sorong City is challenged by the community's lack of legal awareness, coordination between relevant departments, and limited resources for effective monitoring. Communities often make illegal mining their main livelihood despite its detrimental environmental and local economic impact. Meanwhile, law enforcement officials and related departments such as the Environmental Department also face difficulties in the licensing administration process, which hampers enforcement. Therefore, a more comprehensive approach is needed, which includes preventive efforts such as socialization and alternative economic empowerment, as well as repressive approaches through strict law enforcement and more intensive supervision. Cooperation between law enforcement officials, local governments, and communities is essential to address this issue effectively.

## REFERENCE

- Agistia, M, A H Romadhon, and ... "Penegakan Hukum Terhadap Pungutan Liar Yang Dilakukan Oleh Oknum Administrasi Pemerintahan." *Journal of ...*, 2024. <https://journal.banjaresepacific.com/index.php/jimr/article/view/323%0Ahttps://journal.banjaresepacific.com/index.php/jimr/article/download/323/294>.
- Anita Sinaga, Niru. "Kode Etik Sebagai Pedoman Pelaksanaan Profesi Hukum Yang Baik." *Jurnal Ilmiah Hukum Dirgantara* 10, no. 2 (2020): 1–34. <https://doi.org/10.35968/jh.v10i2.460>.
- Ariyanti, Dwi Oktafia, Muhammad Ramadhan, and J. S. Murdomo. "The Criminal Law Enforcement Against Illegal Sand Mining Actors." *Jambura Law Review* 2, no. 1 (2020): 30–47. <https://doi.org/10.33756/jalrev.v2i1.4376>.
- Darongke, Benedikta Bianca. "Penegakan Hukum Terhadap Pertambangan Tanpa Izin Menurut Undang-Undang Nomor 4 Tahun 2009 Tentang Pertambangan Mineral Dan Batu Bara." *Jurnal Lex Et Societatis* 53, no. 9 (2019): 1689–99.
- Delia, Claritha, Lohanda Christine, Fakultas Hukum, Universitas Tarumanagara, Kota Jakarta Barat, and Provinsi D K I Jakarta. "Hukum Acara Pidana Dalam Kasus Korupsi Di Kementerian Pertanian Dengan Tersangka Syahrul Yasin Limpo" 8, no. 2 (2024): 1487–93.
- Firdausiah, Nuril. "Penegakan Hukum Pengeboran Minyak Ilegal Pada Pertambangan Rakyat."

---

Kegiatan Pertambangan Pasir Batu (Studi Di Desa Gunung Rancak, Kecamatan Robatal, Kabupaten Sampang)," *DE RECHT (Journal of Police and Law Enforcement)* 1, no. 1 (2023): 31–47, <https://jurnal.fhubhara.com/index.php/derecht/article/view/163>.

- Constitution Journal* 1, no. 2 (2022): 107–20.  
<https://doi.org/10.35719/constitution.v1i2.18>.
- Harefa, Safaruddin. "Penegakan Hukum Terhadap Tindak Pidana Di Indonesia Melalui Hukum Pidana Positif Dan Hukum Pidana Islam." *University Of Bengkulu Law Journal* 4, no. 1 (2019): 35–58. <https://doi.org/10.33369/ubelaj.v4i1.7303>.
- Hidaya, Hasriyanti. Wahab Aznul. "Forensic Accounting Strategies in Detecting and Investigating Corruption Crime." *JUSTISI* 7, no. 1 (2019): 1–7. <https://doi.org/https://doi.org/10.33506/js.v5i1.537>.
- Jauhara, Natasha Elza, and Elsi Kartika Sari. "Pertambangan Batu Kapur Oleh I Made Sukaraja Di Kabupaten Badung, Bali." *Metrik Serial Humaniora Dan Sains* 1, no. 1 (2020): 26–32. <http://publikasi.kocenin.com/index.php/huma>.
- Luhukay, Roni Sulistyanto, and Rachmasari Kusuma Dewi. "Sentralisasi Kewenangan Perizinan Usaha Oleh Pemerintah Pusat Dalam Rancangan Undang – Undang Mineral Dan Batubara." *Al-'Adl* 13, no. 2 (2020): 265. <https://doi.org/10.31332/aladl.v13i2.1861>.
- Manik, Jeanne Darc Noviyanti. "Koordinasi Penyidik Polri Dengan Penyidik Pegawai Negeri Sipil Dalam Penyidikan Tindak Pidana Di Bidang Pengelolaan Sumber Daya Alam." *Jurnal Hukum PRIORIS* 6, no. 3 (2018): 278–303. <https://doi.org/10.25105/prio.v6i3.3181>.
- Maulidina, Bertha, Silvia Ratna Anzani, and Vianna Novita Kristya. "Peran Peradilan Tata Usaha Negara Dalam Penegakan Hukum Administrasi Negara Berbasis Prinsip Good Governance." *Yustisi: Jurnal Hukum & Hukum Islam* 10, no. 1 (2023): 196–209.
- Moghtaderi, Mina, Majid Saffarinia, Hossein Zare, and Ahmad Alipour. "هشیت ریکزد بز هیئی اهیدرهئی بست اثربخشی بز ګر ځدکبرآهذی احسبس پیرکیس بیوبرای نییی ی هقتنری هیب 1 ، \* صفیری هجید ٬یب 2 سارح حسیی ، 3 علی احوذ ، 4 پر 4 ."  
*Quarterly Journal of Health Psychology* 8, no. 32 (2020): 73–92.  
[http://hpj.journals.pnu.ac.ir/article\\_6498.html](http://hpj.journals.pnu.ac.ir/article_6498.html).
- Muharuddin, Muharuddin, Wahab Aznul Hidayat, and Jamaluddin Rumatiga. "Tanggungjawab Pemerintah Daerah Terhadap Kerusakan Terumbu Karang Di Kabupaten Raja Ampat." *JUSTISI* 6, no. 2 (2020): 64–76. <https://doi.org/https://doi.org/10.33506/js.v6i2.949>.
- Peran Pemerintah Daerah Kabupaten Sampang dalam Menertibkan Kegiatan Pertambangan Pasir Batu Studi di Desa Gunung Rancak, Analisa, Kecamatan Robatal, Kabupaten Sampang Jejein Indramayu Putra, Vera Rimbawani Sushanty, Universitas Bhayangkara Surabaya, Corresponding Author, and Jejein Indramayu Putra. "Analisa Peran Pemerintah Daerah Kabupaten Sampang Dalam Menertibkan Kegiatan Pertambangan Pasir Batu (Studi Di Desa Gunung Rancak, Kecamatan Robatal, Kabupaten Sampang)." *DE RECHT (Journal of Police and Law Enforcement)* 1, no. 1 (2023): 31–47. <https://jurnal.fhubhara.com/index.php/derecht/article/view/163>.
- Rahayu, Derita Prapti, and Faisal Faisal. "Politik Hukum Kewenangan Perizinan Pertambangan Pasca Perubahan Undang-Undang Minerba." *Pandecta* 16, no. 1 (2021): 164–

72. <http://journal.unnes.ac.id/nju/index.php/pandecta%0APolitik>.
- Redi, Ahmad. "Dilema Penegakan Hukum Penambangan Mineral Dan Batubara Tanpa Izin Pada Pertambangan Skala Kecil (Dilemma of Law Enforcement in Small Scale Illegal Mining)." *RechtsVinding* 5, no. 3 (2016): 411–12.
- Rivanie, Syarif Saddam. "HUKUMAN PIDANA AKIBAT KERUSAKAN LINGKUNGAN YANG DILAKUKAN OLEH KORPORASI Pada INDUSTRI TAMBANG." *Jurisprudentie: Jurusan Ilmu Hukum Fakultas Syariah Dan Hukum* 6, no. 2 (2019): 1. <https://doi.org/10.24252/jurisprudentie.v6i2.9612>.
- Roni Sulistyanto Luhukay. "Independensi Kekuasaan Kehakiman Pasca Amandemen Undang-Undang Dasar Tahun 1945 Dan Relevansinya Bagi Penegakan Hukum Yang Berkeadilan Di Indonesia." *Jurisprudentie: Jurusan Ilmu Hukum Fakultas Syariah Dan Hukum* 6, no. 1 (2019): 135–54. <http://journal.uin-alauddin.ac.id/index.php/Jurisprudentie/article/view/7973>.
- Suyanto, Heru, and Khoirur Rizal Lutfi. "Model Kebijakan Penal Terhadap Kejahatan Pertambangan Yang Disebabkan Kebijakan Pemerintah (Studi Tambang Pasir Besi Di Kabupaten Lumajang)." *Jurnal Hukum Respublica* 17, no. 1 (2017): 1–20. <https://doi.org/10.31849/respublica.v17i1.1448>.
- Tampanguma, Risenly Faturahman Tapada ;J. Ronald Mawuntu;Maarthen Y. "Akibat Hukum Penerapan Undang-Undang Nomor 3 Tahun 2020 Tentang Perubahan Atas Undang-Undang Nomor 4 Tahun 2009 Tentang Pertambangan Mineral Dan Batubara Terhadap Peningkatan Nilai Tambah Pertambangan." *Lex Privatum* 10, no. 4 (2022): 2. <https://ejournal.unsrat.ac.id/v3/index.php/lexprivatum/article/view/42407>.
- Theta, Murty, and Henny Yuningsih. "Upaya Penegakan Hukum Pidana Terhadap Tindak Pidana Penambangan Timah Ilegal Di Provinsi Bangka Belitung." *Simbur Cahaya* 24, no. 1 (2017): 4363. <https://doi.org/http://dx.doi.org/10.28946/sc.v24i1%20Jan%202017.48>.
- Tongkotow, Ekadia, Agustinus B Pati, and Daisy Posumah. "Konflik Pada Pertambangan Emas Tanpa Izin Di Kecamatan Ratatotok Kabupaten Minahasa Tenggara." *Jurnal Sam Ratulangi Politics Review (SRPolRev)* 1, no. 1 (2023): 1–14.
- Widiastuti .M.M.D et al. "STRATEGI KEBIJAKAN PENANGGULANGAN PENGGALIAN PASIR PANTAI DI PANTAI NASAI-KABUPATEN MERAUKE Policy Strategy to Overcome Beach Sand Mining in The Nasai Beach-Merauke Regency," 2018, 13–26.